

THE JUDICIARY  
STATE OF HAWAII

RFP NO. J07030

HEALTH & HUMAN  
SERVICES FOR  
FISCAL BIENNIUMS  
2007 - 2011

OCTOBER 18, 2006



**Office of the Administrative Director — Fiscal Office, Support Services Division**

THE JUDICIARY • STATE OF HAWAII • 1111 ALAKEA STREET, 6TH FLOOR • HONOLULU, HAWAII 96813-2807  
TELEPHONE (808) 538-5805 • FAX (808) 538-5802

**NOTICE TO APPLICANTS**

This solicitation is provided to you for information purposes. If interested in responding to this solicitation, you may choose to submit your offer on the downloaded document provided. **You must register** your company by fax or email for this specific solicitation. If you do not register your company, you will not receive addenda, if any, and your offer **may be** rejected and not considered for award.

**Registration**

**Submit FAX or Email to:** FAX No.: (808-) 538-5802  
Email: [jonathan.h.wong@courts.state.hi.us](mailto:jonathan.h.wong@courts.state.hi.us)

Provide the following information:

- Name of Company
- Telephone Number
- Solicitation Number
- Mailing Address
- FAX Number
- Fedex (or equivalent) account number (document will be sent by U.S. Postal Service first class mail if this is not provided.)
- Name of Contact Person
- Email Address

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October 18, 2006

To: All Applicants

From: Janell M. Kim, Financial Services Administrator

Subject: Notice of Request for Proposals No. J07030  
For Health & Human Services for Fiscal Bienniums 2007 - 2011

The Judiciary, State of Hawaii, is requesting competitive sealed proposals from qualified applicants to provide Health & Human Services for Fiscal Bienniums 2007 - 2011. The contract term will be primarily for the biennium period July 1, 2007 through June 30, 2009, and may be extended for the biennium period July 1, 2009 through June 30, 2011, subject to availability of funds. The proposal application and contract award procedures are in accordance with Chapter 103F, Hawaii Revised Statutes, as amended. Multiple contracts will be awarded pursuant to each service specification under this Request For Proposals (RFP).

The attached packet of materials outline the requirements for proposal applications. It includes the administrative requirements, service specifications, application form, and other information. This RFP is available on our Judiciary web site at <http://www4.hawaii.gov/jud> under "General Information / Business with the Judiciary", or from the Contracts & Purchasing Office listed below, or from the contract persons listed in the RFP Section Two - Service Specifications.

Persons or organizations must submit three (3) sets (Orig. + 2 copies) of their completed proposal applications (in hard copy or in PDF format on CD) and they **must be postmarked (by US Postal Service) before midnight on February 2, 2007**, to the following address:

The Judiciary, State of Hawaii  
Financial Services Division  
Contracts & Purchasing Office  
Kauikeaouli Hale (District Court Building)  
1111 Alakea Street, 6<sup>th</sup> Floor  
Honolulu, HI 96813-2807

**Proposals postmarked or hand delivered after the appropriate dates and times will not be considered and will be returned to the applicant unopened. (See Section 1.8.8 - Proposal Submittal, for postmark or hand delivery restrictions.)**

The actual funding of the contract will be based on the proposal applications submitted by the applicants and the service required by the Judiciary. The Administrative Director of the Courts reserves the right and power to award the contract in any manner which he deems to be in the best interest of the Judiciary.

The Judiciary will conduct orientation meetings on the following dates, locations and times indicated:

<b>October 26, 2006</b>	<b>Hawaii -Kona</b>	<b>Third Circuit Court</b> Big Island Drug Court - Kona 81-940 Halekii St., Kealahkekua, HI Contact: Warren Kitaoka Email: <a href="mailto:warren.h.kitaoka@courts.state.hi.us">warren.h.kitaoka@courts.state.hi.us</a>	<b>10:00 a.m. - 12:00 noon</b>    Ph. 808-938-6466
<b>November 6, 2006</b>	<b>Hawaii - Hilo</b>	<b>Third Circuit Court</b> Big Island Drug Court - Hilo Waiakea Office Plaza 345 Kekuanaoa St., Hilo, HI Contact: Ruth Tachibana Email: <a href="mailto:ruth.m.tachibana@courts.state.hi.us">ruth.m.tachibana@courts.state.hi.us</a>	<b>9:00 a.m. - 11:00 a.m.</b>    Ph. 808-934-5764
<b>November 9, 2006</b>	<b>Oahu</b>	<b>First Circuit Court</b> 3 <sup>rd</sup> Floor Multi-purpose Room Ka`ahumanu Hale 777 Punchbowl St., Honolulu, HI Contact: Jonathan Wong Email: <a href="mailto:jonathan.h.wong@courts.state.hi.us">jonathan.h.wong@courts.state.hi.us</a>	<b>9:00 a.m. - 11:00 a.m.</b>    Ph. 808-538-5805

**November 15, 2006 Kauai**

**Fifth Circuit Court**

**9:00 a.m. - 11:00 a.m.**

Kauai Judiciary Complex, Room A-201  
3970 Kaana St., Lihue, Kauai, HI

Contact: David Lam

Ph. 808-482-2378

Email: [david.m.lam@courts.state.hi.us](mailto:david.m.lam@courts.state.hi.us)

**November 16, 2006 Maui**

**Second Circuit Court**

**9:00 a.m. - 11:00 a.m.**

Hoapili Hale, Grand Jury Room  
Second Circuit Court

2145 Main St., Wailuku, Maui, HI

Contact: Sandy Kozaki

Ph. 808-244-2768

Email: [sandy.s.kozaki@courts.state.hi.us](mailto:sandy.s.kozaki@courts.state.hi.us)

**November 20, 2006 Molokai**

**Second Circuit Court**

**9:15 a.m. - 11:15 a.m.**

District/Family Courthouse  
Kaunakakai, Molokai, HI

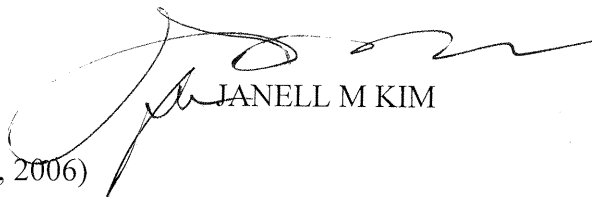
Contact: Sandy Kozaki

Ph. 808-244-2768

Email: [sandy.s.kozaki@courts.state.hi.us](mailto:sandy.s.kozaki@courts.state.hi.us)

**All prospective applicants are encourage to attend an orientation and to bring their RFP packets with them.**

Program questions may be directed to the appropriate contact persons listed in the RFP Section Two - Service Specifications. Other questions regarding this RFP may be directed to Jonathan Wong in the Contracts & Purchasing Office at 808-538-5805, or Email: [jonathan.h.wong@courts.state.hi.us](mailto:jonathan.h.wong@courts.state.hi.us).



JANELL M KIM

(SPO & JUD Websites: October 18, 2006)

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Mediation and Related Dispute Resolution Services (ADRMS)  
Quarterly and Final Report Format

# SECTION ONE

## ADMINISTRATIVE

## OVERVIEW

## SECTION ONE - ADMINISTRATIVE OVERVIEW

Applicants are encouraged to read each section of this RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of this RFP.

### 1.1 Procurement Timetable

Activity	Scheduled Date
A. Public Notice announcing RFP	October 18, 2006
B. Distribution of RFP	October 18, 2006 - February 2, 2007
C. RFP orientation sessions	October 26, 2006 - November 20, 2006
D. Closing date for submission of written questions for written responses	4:00 p.m. January 16, 2007
E. Judiciary's response to applicants' written questions	January 23, 2007
F. Discussions with applicants prior to submittal deadline (optional).	October 18, 2006 - February 2, 2007
<b>G. PROPOSAL SUBMITTAL DEADLINE</b>	4:00 p.m. or Postmarked <b>February 2, 2007</b>
H. Discussions with applicants after submittal deadline (optional).	February - April, 2007
I. Final revised proposals (optional).	January - April, 2007
G. Proposal evaluation period	February - April, 2007
H. Provider selection	March - April, 2007
J. Notice of statement of findings and decisions	March - April, 2007
K. Contract start date (tentative)	July 1, 2007



## 1.2 Website References

The Judiciary Website is <http://www2.hawaii.gov/jud>.

The State Procurement Office (SPO) website is <http://www4.hawaii.gov/spoh/>.

## 1.3 Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes, Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of the prospective applicant.

## 1.4 RFP Organization

This RFP is organized into five sections:

**SECTION ONE, Administrative Overview**--Provides applicants with an overview of the procurement process.

**SECTION TWO, Service Specifications**--Provides applicants with a general description of the tasks to be performed, delineates applicant responsibilities, and defines deliverables (as applicable).

**SECTION THREE, Proposal Application**--Describes the required format and content for the proposal application.

**SECTION FOUR, Proposal Evaluation**--Describes how proposals will be evaluated by the Judiciary.

**SECTION FIVE, Attachments** --Provides applicants with information and forms necessary to complete the application.

## 1.5 Contracting Office

The Contracting Office is responsible for receiving and for the execution of the contract(s) resulting from this RFP. The Contracting Office is:

The Judiciary, State of Hawaii  
Financial Services Division  
Contracts and Purchasing Office  
1111 Alakea Street, 6th Floor  
Honolulu, HI 96813-2807    Phone: (808)538-5805    Fax: (808) 538-5802  
Email: [jonathan.h.wong@courts.state.hi.us](mailto:jonathan.h.wong@courts.state.hi.us)

## 1.6 Orientation

Orientation meetings for applicants will be held on the dates, at the locations and times indicated in the “Notice of Request for Proposals” on pages i thru iii of this RFP.

**Applicants attending the orientation should bring their RFP packets with them.** Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted and spontaneous answers provided at the orientation at the Judiciary’s discretion. Verbal answers provided at the orientation are only intended as general direction and may not represent the Judiciary’s position. Formal official responses will be provided in writing. To ensure a written response from the Judiciary, any questions should be submitted in writing following the close of the orientation, but no later than the date indicated in Section 1.1, Procurement Timetable, in order to generate a written Judiciary response.

## 1.7 Submission of Questions

Applicants may submit questions to the RFP Contact Person identified in the Service Specifications in SECTION TWO of this RFP. The deadline for submission of written questions and to receive written responses from the Judiciary to those questions are indicated in Section 1.1 - Procurement Timetable.

## 1.8 Submission of Proposals

### 1.8.1 Forms/Formats

Forms, with the exception of program specific requirements, may be found on the State Procurement Office website at: [www.spo.hawaii.gov](http://www.spo.hawaii.gov), click *Procurement of Health and Human Services* and *For Private Providers*. Please refer to the Proposal Application Checklist (SECTION FIVE, ATTACHMENT A) for the location of program for information on: 1) where to obtain the forms/instructions; 2) additional program specific requirements; and 3) the order in which all components of the application should be assembled and submitted to the Judiciary. Proposals must contain the following components:

- (1) **Proposal Application Identification Form (Form SPO-H-200)** - Provides identification of the proposal. **Although a hard copy Judiciary Proposal Application Identification Form is included in Attachment B of this RFP, applicants may use the form available (and writeable) on the SPO website.**
- (2) **Proposal Application Check List** – Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the Judiciary.
- (3) **Table of Contents** - A sample table of contents for proposals is located in SECTION FIVE, ATTACHMENT B. This is sample and meant as a guide. The table of contents may vary depending on the RFP.

- (4) **Proposal Application (Form SPO-H-200A)** - A sample application showing the format of the application headings is located in SECTION FIVE, ATTACHMENT B. Applicant shall submit comprehensive narratives that addresses all of the issues contained in the Proposal Application Instructions, including a cost proposal/budget if required. (Refer to Section 3 of this RFP)
- (5) **Tax Clearance** - A certified copy of a current valid tax clearance certificate issued by the State of Hawaii, Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) will be required prior to execution of any contract awarded in response to this RFP. The tax clearance application may be obtained from the Department of Taxation website at [www.hawaii.gov/tax/tax.html](http://www.hawaii.gov/tax/tax.html).

**1.8.2 Program Specific Requirements** - Additional program specific requirements are included in SECTION TWO, Service Specifications, and/or SECTION THREE, Proposal Application, as applicable. If Federal and/or State certifications are required, they are listed on the Proposal Application Checklist located in Section 5.

**1.8.3 Multiple or alternate proposals** - Multiple or alternate proposals shall **not** be accepted unless specifically provided for in SECTION TWO of this RFP. In the event alternate proposals are **not** accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for an award as though it were the only proposal submitted by the applicant.

**1.8.4 Wages and Labor Law Compliance** - Before a provider enters into a service contract in excess of \$25,000, the provider shall certify that it complies with section 103-55, HRS, Wages, hours, and working conditions of employees of contractors performing services. Section 103-55 HRS may be obtained from the Hawaii State Legislature website for Bills status and docs at <http://capitol.hawaii.gov/>. Or go directly to: [http://www.capitol.hawaii.gov/hrscurrent/Vol02\\_Ch0046-0115/HRS0103/](http://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0103/)

**1.8.5 Compliance with all Applicable State Business and Employment Laws.** - All providers shall comply with all laws governing entities doing business in the State. Prior to contracting, owners of all forms of business doing business in the state except sole proprietorships, charitable organizations, unincorporated associations, and foreign insurance companies be registered and in good standing with the Department of Commerce and Consumer affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website.

**1.8.6 Campaign Contributions by State and County Contractors** - Contractors are hereby notified of the applicability of Section 11-205.5, HRS, which states that campaign contributions are prohibited from specified State of county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, Act 203/2005 FAQs are available at the Campaign Spending Commission webpage.

**1.8.7 Confidential Information** - If an applicant believes any portion of a proposal contains

information that should be withheld as confidential, the applicant shall request in writing non-disclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

**Note that price is not considered confidential and will not be withheld.**

**1.8.8 Proposal Submittal** - All mail-ins shall be postmarked by the United States Postal System (USPS) and received by the Judiciary Contracts & Purchasing Office no later than the submittal deadline indicated in Section 1.1 - Procurement Timetable. All hand deliveries shall be received by the Judiciary Contracts & Purchasing Office by the date and time designated in Section 1.1 - Procurement Timetable. Proposals shall be rejected when:

- (1) Postmarked after the designated date; or
- (2) Postmarked by the designated date but not received within 10 days from the submittal deadline; or
- (3) If hand delivered, received after the designated date and time.

Deliveries by private mail services such as FEDEX shall be considered hand deliveries and shall be rejected if received after the submittal deadline. Dated USPS shipping labels are not considered postmark.

**Proposals on CD** - As an option to submitting hard copies (orig. + 2) of your entire proposal, proposals may be submitted on CD (3 copies of CD) in Adobe's pdf format along with hard copies of the Proposal Application Identification Form (See SECTION FIVE, ATTACHMENT B, Form SPO-H-200).

## **1.9 Discussions with Applicants**

**1.9.1 Prior to Submittal Deadline** - Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.

**1.9.2 After Proposal Submittal Deadline** - Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for an award, but proposals may be accepted without discussions, in accordance with the administrative rules (Section 3-143-403, HAR.).

## **1.10 Opening of Proposals**

Upon receipt of proposal by The Judiciary at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time stamped. All documents so received shall be held in a secure place by the Judiciary and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

**1.11 Additional Materials and Documentation**

Upon request from the Judiciary, each applicant shall submit any additional materials and documentation reasonably required by the Judiciary in its evaluation of the proposals.

**1.12 RFP Amendments**

The Judiciary reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

**1.13 Final Revised Proposals**

The applicant's final revised proposal, *as applicable* to this RFP, must be postmarked or hand delivered by the proposal submittal deadline indicated in Section 1.1 - Procurement Time Table above. Any final revised proposal postmarked or received after the designated date and time shall be rejected. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's best and final offer/proposal. *Only the section(s) of the proposal that are amended shall be submitted by the applicant, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

**1.14 Cancellation of Request for Proposal**

The request for proposal may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the Judiciary.

**1.15 Costs for Proposal Preparation**

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

**1.16 Provider Participation in Planning**

Provider participation in the Judiciary's efforts to plan for or to purchase health and human services prior to the Judiciary's release of a request for proposals, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with sections 3-142-202, 3-142-203 and 3-143-618 of the Hawaii Administrative Rules for Chapter 103F, HRS.

**1.17 Rejection of Proposals**

The Judiciary reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons: (Relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS are parenthesized.)

- A. Rejection for failure to cooperate or deal in good faith. (Section 3-141-201)
- B. Rejection for inadequate accounting system. (Section 3-141-202)
- C. Late proposals. (Section 3-143-603)
- D. Inadequate response to request for proposals. (Section 3-143-609)
- E. Proposal not responsive. (Section 3-143-610 (1))
- F. Applicant not responsible. (Section 3-143-610 (2))

## **1.18 Notice of Award**

A Notice of Award containing a statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Judiciary's Staff Attorney as to form.

No work is to be undertaken by the awardee prior to the contract commencement date. The Judiciary is not liable for any costs incurred prior to the official starting date.

## **1.19 Protests**

**1.19.1** Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website indicated on the Proposal Application Checklist. Only the following matters may be protested:

- A. The purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- B. The purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- C. The purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the Judiciary.

**1.19.2** The Notice of Protest shall be mailed by USPS or hand delivered to the head of the Judiciary purchasing agency conducting the protested procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery Services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

- A. William Santos  
Chief Court Administrator, First Circuit  
Ka'ahumanu Hale  
777 Punchbowl Street  
Honolulu, HI 96813-5093
- B. Melvin Arakawa  
Chief Court Administrator, Second Circuit  
Hoapili Hale  
2145 Main Street  
Wailuku, HI 96793-1679
- C. Lester Oshiro  
Chief Court Administrator, Third Circuit  
75 Aupuni Street, Room 201  
Hilo, HI 96721-1007
- D. Steven Okihara, Chief Court Administrator  
Fifth Circuit Court  
3970 Kaana Street, STE 301  
Lihue, HI 96766-1283
- E. Elizabeth Kent  
Director, Center for Alternative Dispute Resolution  
417 S. King St., Room 207  
Honolulu, HI 96813
- F. Susan Gochros  
Intergovernmental and Community Relations Department Head  
417 So. King St., Room 209  
Honolulu, HI 96813

Questions regarding protests may be directed to the applicable procurement officer, identified as the programmatic contact person for the service specifications described in SECTION TWO of this RFP.

## **1.20 Availability of Funds**

The award of a contract and any allowed renewal or extension thereof, are subject to allotments to be made by the Administrative Director of the Courts and subject to the availability of State and/or Federal funds.

**1.21 Monitoring and Evaluation**

The criteria by which the performance of the contract will be monitored and evaluated are:

- A. Performance/Outcome Measures
- B. Output Measures
- C. Quality of Care/Quality of Services
- D. Financial Management
- E. Administrative Requirements

**1.22 General and Special Conditions of Contract**

The general conditions that will be imposed contractually are attached (See SECTION FIVE, ATTACHMENT C). Special conditions may also be imposed contractually by the Judiciary, as deemed necessary.

**1.23 Cost Principles**

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201, which is available on the State Procurement Office website. Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

**END OF SECTION ONE**